

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**GERALDO M. QUEZADA,**

**Defendant.**

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**8:05CR397**

**ORDER CONTINUING TRIAL**

This matter is before the court on defendant's motion to continue trial and waiver of speedy trial (Filings 19 & 20). The defendant requests an extension of "at least 90 days" because he retained substitute counsel essentially on the eve of trial, which has already been continued once at the request of the defendant. Under the circumstances, the court will grant an extension to the next available trial setting, i.e., April 4, 2006.

**IT IS ORDERED** that the motion to continue trial is granted, in part, as follows:

1. Trial of this matter is continued from February 21, 2006 to **April 4, 2006** before Judge Laurie Smith Camp and a jury.

2. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **February 21, 2006 and April 4, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act to allow substitute counsel time to prepare for trial. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

**DATED February 10, 2006.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**